

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:03CR337
)	
vs.)	MOTION TO DESTROY
)	OR OTHERWISE DISPOSE
FLOYD PAUL BUFFALOHEAD,)	OF EXHIBITS
)	
Defendant.)	

_____COMES NOW the United States of America, by and through the undersigned Assistant United States Attorney, pursuant to NELR § 79.1(c) and General Order No. 2001-05 (Amended) and respectfully requests this Court issue an Order authorizing the United States to destroy or otherwise dispose of exhibits legally seized as part of the investigation of the above captioned case and presently under the control of the United States Attorney's Office. In support of this Motion, the United States shows the Court as follows:

1. Defendant in this case is Floyd Paul Buffalohead. The United States District Court returned exhibits pertaining to Floyd Paul Buffalohead to this office on December 17, 2003. The United States has maintained custody of the following exhibit: Police Report.
2. Floyd Paul Buffalohead 's case was dismissed on October 15, 2003.
3. The above exhibits have been retained at least six (6) months after the case became final and the case is no longer subject to appellate review.

CONCLUSION

The United States respectfully requests this Court issue an Order authorizing the United States to destroy or otherwise dispose of the above exhibits.

UNITED STATES OF AMERICA

MICHAEL G. HEAVICAN
United States Attorney
District of Nebraska

By: s/ Michael D. Wellman
MICHAEL D. WELLMAN, #14455
Assistant U.S. Attorney
1620 Dodge Street, Suite 1400
Omaha, NE 68102
(402) 661-3700

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2006, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which sent notification of such filing to the following:
Jeffrey L. Thomas, Assistant Federal Public Defender.

s/ Michael D. Wellman
MICHAEL D. WELLMAN, # 14455
Assistant U.S. Attorney